

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DOMINIQUE BROWN,

Plaintiff,

v.

MICHAEL IRVIN, *et al.*,

Defendants.

Case No. C24-1721-LK

ORDER TO SHOW CAUSE

Plaintiff filed an application to proceed *in forma pauperis* (“IFP”) in the above-entitled action. (Dkt. # 1.) In the IFP application, Plaintiff indicates she receives \$200 monthly income, \$3,840 in child support or alimony, has \$150 on hand in cash, has no money in accounts, owns no valuable property, has two minor dependents, and incurs no monthly expenses. (*Id.* at 1-2.) Plaintiff provided no information to explain why she cannot pay court fees and costs. (*Id.* at 2.)

The district court may permit indigent litigants to proceed IFP upon completion of a proper affidavit of indigence. *See* 28 U.S.C. § 1915(a). “To qualify for *in forma pauperis* status, a civil litigant must demonstrate both that the litigant is unable to pay court fees and that the claims he or she seeks to pursue are not frivolous.” *Ogunsalu v. Nair*, 117 F. App’x 522, 523 (9th Cir. 2004), *cert. denied*, 544 U.S. 1051 (2005). To meet the first prong of this test, a litigant

1 must show that he or she “cannot because of his [or her] poverty pay or give security for the
2 costs and still be able to provide him[or her]self and dependents with the necessities of life.”
3 *Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331, 339 (1948) (internal alterations
4 omitted).

5 Plaintiff’s application omits information necessary for the Court to determine her ability
6 to pay court fees and costs. Plaintiff does not, for example, inform the Court how she pays for
7 food, shelter, or other basic necessities of life. Plaintiff should not, under these circumstances, be
8 authorized to proceed IFP.

9 Accordingly, Plaintiff is ORDERED to show cause by **November 1, 2024**, why the Court
10 should not recommend her IFP application be denied. The Clerk is directed to send copies of this
11 Order to Plaintiff and to the Honorable Lauren J. King.

12 Dated this 25th day of October, 2024.

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14 MICHELLE L. PETERSON
15 United States Magistrate Judge
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